

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Bremer (US 6,018,671).

With respect to claim 1, see the following paragraphs for details on how Bremer discloses particular limitations within the claim.

The limitation "a memory...capable of storing multiple personalized vocal responses and a written synopsis of each stored personalized vocal response" reads on Bremer as follows. Memory 126 stores prerecorded voice reply messages (Fig. 1 and col. 2, lines 25-40). The voice reply messages provide personalized vocal responses to the incoming call (col. 3, line 60 - col. 4, line 21). The reply messages are also graphically displayed on display 116 enabling the user to select the appropriate message. Id. Therefore, the display provides a graphical or written synopsis of the corresponding voice replay message sufficient to allow the user to select the appropriate reply message.

The limitation "a store/playback device...capable of storing the personalized vocal responses in memory" reads on Fig. 1, answering circuit 128. An "answering circuit" as defined by Bremer also permits storing of the recorded message into memory (col. 1, lines 30-39).

The limitation "a system control circuit...capable of communication with the voice communication device, has capability to select...vocal response...in reply to a playback command initiated by a user, and has capability to playback..." reads on Bremer as follows. The controller 110 (Fig. 1) controls the selection and playback processes performed by the answering circuit 128 (store/playback device) and memory 126 as discussed above. The playback is in reply to playback commands initiated via key set 118 (Fig. 1 and col. 3, line 60 - col. 4, line 21).

Claim 16 differs substantively from claim 1 in that claim 16 is directed to a method that performs steps equivalent to the functions performed by the apparatus of claim 1. Therefore, see the claim 1 rejection for additional details. Further, see the method illustrated in Fig. 4.

With respect to claim 2, see Fig. 1, display 116 and the claim 1 rejection for further details.

With respect to claims 3 and 17, the answering circuit permits recording the message (col. 1, line 30-38).

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With respect to claims 4 and 18, the user enters the silent answer 119 (col. 3, lines 40-60) and in response the message is displayed in order to the user to review which message to select (col. 3, line 61 - col. 4, line 21).

With respect to claims 5, 6, 19, and 21, see the claim 1 rejection for further details where the user initiates playback by pressing a key on key set 118 (part of telephone) which is then processed by the controller 110.

With respect to claims 7-12 and 20, 22, and 23, the playback device is a cellular telephone 102 (Figs. 1 and 3). See the claim 1 rejection for further details.

With respect to claims 13 and 24, the messages are received (whether stored or playback on answering circuit 128) via wireless telephone 102 (Fig. 1).

With respect to claims 14, 15, 25, and 26, see the claim 1 rejection for further details where the user commands the controller 110 to initiate playback (i.e., adjusts the system control circuit) by actuating a key on key set 118.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/
Primary Examiner, Art Unit 2614

/GG/
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